

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

VINCENT MASINO, KEITH LOSCALZO,  
FRANCISCO FERNANDEZ, ANTHONY FASULO,  
DAVID DELUCIA and JIM KILKENNY, as Trustees and  
Fiduciaries of the PAVERS AND ROAD BUILDERS  
DISTRICT COUNCIL WELFARE, PENSION,  
ANNUITY AND APPRENTICESHIP, SKILL  
IMPROVEMENT AND TRAINING FUNDS,

Plaintiffs,

-against-

INTERCOUNTY PAVING ASSOCIATES OF NY, LLC,

Defendant.

09 Civ. 1650 (NGG)

**DEFAULT JUDGMENT**

The Amended Summons and First Amended Complaint, in this action having been duly served on the above-named defendant Intercounty Paving Associates of NY, LLC, and said defendant having failed to plead or otherwise defend in this action, and said default having been duly noted, and upon the annexed affidavit of default judgment,

NOW, on the motion of Virginia & Ambinder, LLP, attorneys for plaintiffs, it is hereby

ORDERED AND ADJUDGED, that plaintiffs Vincent Masino, Keith Loscalzo, Francisco Fernandez, Anthony Fasulo, David DeLucia and Jim Kilkenny, as Trustees and Fiduciaries of the Pavers and Road Builders District Council Welfare, Pension, Annuity and Apprenticeship, Skill Improvement and Training Funds, do recover of Intercounty Paving Associates of NY, LLC, the defendant with its principal place of business at 385 West John Street, 2<sup>nd</sup> Floor, Hicksville, New York 11801 the sum of (1) \$2,117.70 for

liquidated damages, (2) interest of \$13,327.33, and (3) attorneys' fees and costs of \$2,179.85 amounting in all to the sum of \$17,624.88 plus interest at the legal rate in effect on the date of this judgment; and that the plaintiffs have execution therefor.

Judgment dated: Sept. 17, 2009

By: s/Nicholas G. Garaufis  
\_\_\_\_\_  
U.S.D.J. U